IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 179 OF 2006

Subhash Arun Athavale ...Petitioner

V/s.

University of Mumbai & Ors. ...Respondents.

Mr. N.P. Deshpande with Mrs. I.M. Koparkar for the Petitioner

Mr. R.A. Rodrigues for Respondents No. 1, 3 and 4

Mr. R.M. Sawant, Government Pleader, for Respondent No. 2

Mr. N.M. Ganguli for Respondents No. 5 to 8.

CORAM: KSHITIJ R. VYAS, C.J., &
S.C. DHARMADHIKARI, J.
DATE: FEBRUARY 27, 2006.

P.C.:-

1. The petitioner in this petition has challenged the election of respondents No. 5 to 8 as members of the Senate of respondent No.1-University from the Teachers Constituency as provided by Section 25 (2) (p) of the Maharashtra Universities Act, 1994 read with the Statutes.

2. There is no dispute that before filing the present petition, the petitioner has already invoked Section 108 of the Maharashtra Universities Act, 1994.

3. The learned Government Pleader, Mr. Sawant, has stated that the Chancellor would entertain the petition filed by the petitioner and decide the dispute raised therein. In view of this, nothing further is required to be done in the matter. We hope and trust that the Chancellor of respondent No.1-University will decide the dispute as early as possible, preferably within three months from the date of receipt of the writ of this order.

4. With the above observation, the petition stands disposed of.

CHIEF JUSTICE

S.C.DHARMADHIKARI,J.